IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 132 OF 2005
IN
WRIT PETITION NO. 1044 OF 2004

Messrs K.R.Sales. ... Petitioner.

V/s.

The State of Maharashtra
and others. ... Respondents.

S.Bangur i/b. Kalpesh J. Nansi for
the petitioner in support of motion.

Rajiv C. Chavan for the respondents.

CORAM : V.C.DAGA AND J.P.DEVADHAR, JJ.

DATED : 8th April, 2005.

P.C. :

. Since the petitioner could not deposit amount of pre-deposit as directed in the impugned order, dated 5th February, 2004 passed by the Maharashtra Sales Tax Tribunal, Mumbai, the Division Bench of this Court to which one of us (Devadhar, J.) is a party had permitted the sales tax authorities to attach the immovable property of the petitioner's partners being Flat No.D-3, Dattaprasad Society, Paranjape Scheme, Vile-Parle (East), Mumbai.

2. On 18th March, 2005 this Court on the motion taken out by the petitioner had permitted it to

deposit Rs.3 lakh each in two appeals meant for assessment years 1996-97 and 1997-98.

. The petitioner has, accordingly, deposited the amount of Rs.3 lakh in each appeals and filed affidavit along with zerox copies of challens on record to evidence the deposit made by it.

. In the above view of the matter, since the order of deposit passed by this Court has been complied with by the petitioner, the attachment of the flat as ordered in para- 7(i)(b) of the order dated 14th July 2004 stands lifted. At the same time, undertaking dated 8th June, 2004 given by the petitioner also stand discharged. Consequently, petitioner stands relieved of the obligations flowing from the said undertaking.

. Notice of motion stands disposed of in the above terms with no order as to costs.

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